IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 7045 of 2001

Between:

1 V. Padma, W/o Muralidhar Reddy,
R/o Narayanaguda, Hyderabad.
2 B. Padma, W/o Venkat Reddy,
R/o Ramreddy Complex, Mahabubnagar.

..... PETITIONERS

AND

1 The President, District Consumer Forum,
Mahabubnagar.
2 B. Veeraraghava Reddy, S/o Panduranga Reddy,
R/o Plot No.26, Panchayat Raj Colony, Managing Partner of

M/s. Sri Laxmi Housing Associates,
Mettuguda, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to pass an order or direction or writ under Article 226 of the Constitution of India, more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent in issuing NBWs against the petitioners in pursuance of the case registered against them under the provisions of the Consumer Protection Act or any civil suits in connection with the affairs of M/s. Sri Laxmi Housing Associates, Mahabubnagar during the pendency of the insolvency proceedings in I.P.No.4 of

2000 on the file of the learned District Judge, Mahabubnagar, as illegal, arbitrary and against the principles of natural Justice and pass such other and further order or orders, as this Hon'ble court may deem fit and proper in the circumstances of the case, in the interest of justice.

For the Petitioners:MR. C.DAMODHAR REDDY, Advocate.

For Respondent No. 1: Government Pleader for Civil Supplies.

For Respondent No. 2: MR. K.V.CHALAPATHI RAO, Advocate.

The Court made the following order: (per Sri B. Sudershan Reddy, J)

The petitioners instead of approaching the District Consumer Forum, Mahabubnagar by duly bringing the orders stated to have been passed by the District Judge, Mahabubnagar in I.A No. 2188 of 2000 in I.P No. 4 of 2000 had chosen to file this writ petition challenging the non-bailable warrants issued by the 1st respondent in execution of the orders passed by the District Consumer Forum. We find no merit in this writ petition. It appears that number of non-bailable warrants were issued against the petitioners in P.P No. 202 of 2000 in C.D No. 187 of 1998; P.P No. 203 of 2000 in C.D No. 188 of 1998; P.P No. 178 of 2000 in C.D No. 189 of 1998; P.P No. 179 of 2000 in C.D No. 190 of 1998; P.P No. 204 of 2000 in C.D No. 48 of 1999 and P.P No. 1 of 2001 in C.D No. 47 of 1999 on the file of the District Consumer Forum. As to what is the effect of the order passed by the learned District Judge, Mahabubnagar in I.A No. 2188 of 2000 in I.P No. 4 of 2000 is required to be gone into by the District Consumer Forum. The petitioners instead of approaching the District Consumer Forum have chosen to file this writ petition in which we find no merit.

It shall be open to the petitioners to approach the District Consumer Forum, if they are so advised and seek appropriate relief and invite an order by duly placing the orders passed by the District Judge referred to hereinabove and any other material in support of their case. That the District Consumer Forum shall, in case the petitioners avail any such remedy, consider the same and pass appropriate orders in accordance with law.

The Writ Petition shall accordingly stand dismissed.

(B. Sudershan Reddy, J)

01..11..2004

(K.C. Bhanu, J)

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ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1 The President, District Consumer Forum,
Mahabubnagar.

2 Two CCs to the Government Pleader for Civil Supplies, High

Court of Andhra Pradesh, Hyderabad.

3 Two CD copies.